

CWA NPDES Notice of Violations (NOVs)-Watch List

Date: 6/23/15

ROUTING AND TRANSMITTAL SLIP

TO: (Name, office symbol, room number, building, Agency/Post)				Initials	Date
1. N. Mathews/A. Johnson					6/23/15
2. Mattox (Tracking)					7/14/15
3. White/Section Chief					7/14/15
4. Ellis/Diaz					7/14/15
5. Marcus/Giattina					7/14/15
6. White (Mailing/e-filing) / Mattox (Copy)					
7. N. Mathews					

	Action		File		Note and Return
X	Approval		For Clearance		Per Conversation
	As Requested		For Correction		Prepare Reply
	Circulate		For Your Information		See Me
	Comment		Investigate	X	Signature
	Coordination		Justify		

From: (Name, org. symbol, Agency/Post)		Room No. - Bldg.
Namon Mathews		15 th Floor
		Phone No.
		9777

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions.

REMARKS: This facility has violated, Nitrogen, Ammonia Total.

Electronic Version Saved on: T:\1 NPEB\Conventional\Enf-Comp\AL\Ozark\NOV

Contacted State Agency: Y/N Date: 7/14/15 Who at State: Daphne Lutz (by email)

Route in green folder

OPTIONAL FORM 41 (Rev. 1-94)
 Prescribed by GSA
 UNICOR FPI - SST



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUL 21 2015

CERTIFIED MAIL 7014 2870 0000 3318 2695
RETURN RECEIPT REQUESTED

Mr. Donald K. Hallford
General Manager
City of Ozark Utility Board
Post Office Box 1125
Ozark, Alabama 36361

Re: Notice of Violation No.: 309-2015-08
Information Request pursuant to 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: AL0056324
Ozark Southside Wastewater Treatment Plant

Dear Mr. Hallford:

Pursuant to Section 309(a)(1) of the Clean Water Act (CWA), 33 U.S.C. §1319(a)(1), the U.S. Environmental Protection Agency Region 4 hereby notifies the City of Ozark Plant (Ozark) that it has violated its National Pollutant Discharge Elimination System Permit No.: AL0056324 (Permit) for the Ozark Southside Wastewater Treatment Plant. Specifically, Ozark has violated effluent requirements for the parameters and months listed in the Enclosure.

The EPA requests, pursuant to Section 308 of the CWA, 33 U.S.C. §1318, that Ozark provide a written explanation of the reasons for each of the aforementioned violations, any other effluent violations that may have occurred from January 1, 2015, to the present, and provide a summary of actions taken or planned by Ozark to correct the problems and prevent future violations. In instances where the actions are planned, please include a schedule for completing the actions.

All information submitted must be accompanied by the following certification signed by a responsible official:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure A.

Ozark must submit this information within 30 days of receipt of this correspondence. The submittal must be addressed to:

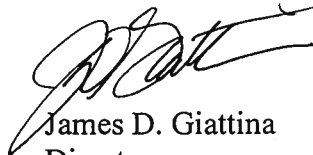
Mr. Namon Mathews
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The State of Alabama (State) is being concurrently notified of these findings. The EPA is coordinating with the State to ensure that timely and appropriate enforcement action is taken and compliance with the conditions of the Permit is achieved.

If these violations are not resolved in a timely or appropriate manner, and/or Ozark fails to respond to the information request, the EPA may take enforcement action, which may include issuance of an administrative order, assessment of administrative penalties or initiation of a civil judicial action pursuant to Section 309 of the CWA, 33 U.S.C. §1319.

If you have questions regarding this notice and information request, please contact Mr. Namon Mathews of my staff, at (404) 562-9777 or via e-mail at mathews.namon@epa.gov.

Sincerely,



James D. Giattina
Director
Water Protection Division

Enclosure

cc: Ms. Glenda L. Dean,
Alabama Department of Environmental Management

DMR Effluent Violations and Nonreceipt

*** Region 4 Certified, Ver. 2.0, 10/14/2010 ***

1/1/2012 12:00:00 AM to 4/30/2015 12:00:00 AM

Permit AL0056324

Permit Name	Version Nmbr	Curr. Major Minor Status	Issue Date	Effective Date	Expiration Date
OZARK CITY OF SOUTHSIDE WWTF	0	Major	5/29/09	6/1/09	3/31/14

Version # 0

Outfall 0011

00610 Nitrogen, ammonia total [as N] / Location 1 / Season 0 / Base

Limit Start Date	Limit End Date	Sample Type	Frequency of Analysis
6/1/09	3/31/14	COMP24	Two Days per Week

Limit		
Limit Unit Desc	Milligrams per Liter	Milligrams per Liter
Statistical Base	MO AVG	WKLY AVG
Limit Value	4.5	6.7
DMR Values		
2/28/15	7.56	9.28
3/31/15	6.41	7.42

00610 Nitrogen, ammonia total [as N] / Location 1 / Season 1 / Base

Limit Start Date	Limit End Date	Sample Type	Frequency of Analysis
6/1/09	3/31/14	COMP24	Two Days per Week

Limit				
Limit Unit Desc	Pounds per Day	Pounds per Day	Milligrams per Liter	Milligrams per Liter
Statistical Base	MO AVG	WKLY AVG	MO AVG	WKLY AVG
Limit Value	26.2	39.4	1.5	2.2
DMR Values				
5/31/14		46.3	1.57	3.02
6/30/14	32.7	57.2	3.6	6.4
7/31/14	35.3	61.2	3.95	6.6
8/31/14			1.76	3.6
10/31/14	30.2	57.8	4.8	8.7
11/30/14	35.4	62.3	5	8.1



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JUL 21 2015

CERTIFIED MAIL 7014 2870 0000 3318 2688

RETURN RECEIPT REQUESTED

Ms. Glenda Dean
Chief, Water Division
Alabama Department of Environmental
Management
P.O. Box 301463
Montgomery, Alabama 36130-1463

Re: Notice of Violation No.: 309-2015-08
National Pollutant Discharge Elimination System Permit No.: AL0056324
Ozark Southside Wastewater Treatment Plant

Dear Ms. Dean:

Pursuant to Section 309(a)(1) of the Clean Water Act, 33 U.S.C. § 1319(a)(1), the U. S. Environmental Protection Agency Region 4 has determined that Ozark Southside Wastewater Treatment Plant (Ozark) is in violation of its National Pollutant Discharge Elimination System Permit No.: AL0056324 (Permit). Specifically, Ozark's has violated effluent requirements for Nitrogen, Ammonia Total. The EPA is simultaneously notifying Ozark of these findings through the issuance of a Notice of Violation (NOV). A copy of the NOV is enclosed for your convenience and record.

If the State of Alabama (State) commences appropriate action within 30 days of receipt of this letter to ensure that Ozark achieves expeditious compliance with its Permit, additional involvement by the EPA may not be required. However, if the State does not take such action, the EPA may then take the necessary steps to require Ozark to come into compliance. Please advise the EPA within 15 days of receipt of this letter of the action(s) you plan to take in this matter to ensure that Ozark achieves expeditious compliance with its Permit requirements. If a formal enforcement action is taken, please provide a copy of the applicable documents for our records.

If you have questions regarding this NOV, please contact Mr. Maurice Horsey, of my staff, at (404) 562-9764 or via e-mail at Horsey.Maurice@epa.gov.

Sincerely,

James D. Giattina
Director
Water Protection Division

